

Jeremy is sensitive

when he gets teased about his big ears.

Allie wears a hearing aid.

Jessie doesn't like graham crackers.

Sarah has asthma.

Michael has trouble paying attention.

Yolanda has separation anxiety.

Mailee uses a wheelchair to get around.

1-888-713-KIDS (5437)

In a child care environment, many people hesitate to mix kids with special needs with everyone else. But once you realize that every child has special needs, isn't it obvious what the best solution is?

To order additional copies of this booklet contact the Wisconsin Child Care Information Center (CCIC), 1-800-362-7353.

THINK BIG.
Start Small.™

Together – Children Grow



**Quality Child Care For Children
With Special Needs**

This child has a disability.

**This child
needs quality
child care.**



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Wisconsin Child Care Information Center (CCIC), 1-800-362-7353.

What will you do?

Parents worry

Parents have concerns

- Will a child care provider want to care for my child?
- Could anyone ever care for my child like me?
- Will other children play and talk with my child?
- Will a child care provider know how to care for my child?
- Will a child care provider phone me if he or she needs more information or help?
- Will a provider be willing to give my child extra time if he or she needs it?
- Will a child care provider know what to do in an emergency?
- What can I do to help make the child care arrangements work well for everyone?



Providers worry

Providers have concerns

- Do I have the skills to care for a child with special needs?
- Will I be able to meet the child's needs and the expectations of the family?
- Will other children play and talk with the child?
- If caring for a child with special needs requires more time, or more money, where will I find the additional resources?
- Will I need special training or information to care for a child with special needs? If so, whom will I call?
- Will I know what to do if the child needs immediate care or medical help?
- What can I do to help make the child care arrangements work well for everyone?



Getting started

What parents need to know

Most child care facilities are considered places of public accommodation. According to the Americans with Disabilities Act (ADA), they cannot exclude or prohibit a child solely because of a disability. The only exception to this rule is when the facility is under the direct management of a religious agency (church, mosque, etc.).

- Not all child care providers are aware of their legal responsibilities under the ADA. Parents may need to teach providers their responsibilities and help them understand that working with a child who has a disability can be a positive and rewarding experience.
- Child care providers are very skilled and have lots of experience caring for children with a variety of needs. Most child care providers are able to care for a child with special needs. They may just need a little help from the child's family.
- Providers cannot deny enrollment to a child with special needs by claiming their staff does not have enough training to care for a child with a disability. It is their responsibility to find the training they need in order to accommodate the child. Parents can help, however, by sharing information about available resources. (See pages 26-27, *Resources*)

Getting started

What providers need to know

Most child care facilities are considered places of public accommodation. According to the Americans with Disabilities Act (ADA), they cannot exclude or prohibit a child solely because of a disability. The only exception to this rule is when the facility is under the direct management of a religious agency (church, mosque, etc.). When a parent asks if a child care program accepts children with disabilities, the provider must in most cases answer, "Yes."

- Many parents of children with disabilities have struggled to find good child care. They may have been frustrated or rejected. Therefore, if they seem hesitant to share information, providers can help by listening and trying to understand.
- Child care providers should never ask specific questions about a child's special needs until after he or she has agreed that the program accepts children with disabilities. Asking too many questions before accepting a child could be a violation of the ADA or be interpreted as screening out children with special needs.
- Each child is a unique human being with gifts, talents and needs. Some children have special health needs or other disabilities. Children's disabilities are as unique as the children who have them. Even if you have had an unsuccessful experience caring for a child with special needs in the past, it is likely that your next experience will be a successful one.

Suggestions

Talking to providers

Talking with a child care provider for the first time can be intimidating or difficult. You may feel uncomfortable or defensive. Even though your child's disability is secondary to who your child is, child care providers do not know your child yet. They will need to hear about your child's special needs and challenges.

Parents should always start by asking the same general questions about the child care program that any parent would ask. Parents are not required to share information about their child's disability until after they feel confident that the program would be a good one for the child. General questions include:

- When is the program open?
- Is there currently an opening?
- What experience or training has the provider had?
- How many children are in the group?
- Are meals served?
- How often are the children read to?
- How is discipline handled?
- What is a typical day like?

When the time comes to talk about your child's special needs, be prepared to share important information with the provider. How does my child's disability affect his or her ability to play, follow a routine, and play with others? What are my child's most enjoyable characteristics?

Be prepared to offer help and resources.
(See pages 26-27, *Resources*)



Suggestions

Talking to parents

It is important to be sensitive when talking to the parent of a child with a disability. The parent of a child who has special needs, just like any parent, is looking for the best possible care for his or her child. Parents need to hear general information about the child care program first in order to decide whether or not it would be a good fit for the child.

After indicating that the program is open to children with special needs, and answering general questions from the parent, a provider may then ask some questions about the child's disability. Providers need some information about the disability in order to provide the best care possible for the child. Questions might include:

- What strengths does your child have?
- How does your child communicate?
- What will your child enjoy doing with the other children in the group?
- Does your child need help with self-care activities like feeding, dressing or use of the bathroom?
- How closely do I need to watch your child beyond usual supervision?
- How might I need to adapt our daily activities in order for your child to participate?
- What type of behaviors can I expect?
- What resources or community networks are you currently involved with that may be able to provide me with information or support related to your child's disability?

(See pages 26-27, *Resources*)



Positive beginnings

What can a parent do?

During the first days and weeks that a child with special needs is in child care, parents can do much to help get things off to a good start. Above all, it is important for parents to think of their relationship with the child care provider as a partnership. Children benefit when adults form cooperative and supportive relationships around their needs.

- Give the provider clear instructions for any special techniques or equipment needed for use with the child. Put the instructions in writing.
- Plan your schedule so that you can spend a little extra time on site with the child during the first days of care to help him or her get used to the new surroundings and to help providers get to know the child.
- Share information about techniques that work at home.
- Share information about community resources and support.
- Keep a positive attitude. Offer support, and help the provider as much as possible.
- Find out what help and support may be available to you or the provider through programs such as Head Start, Birth to 3 and local schools and/or agencies.
- Remember to ask the provider, "What questions do you have?"

(See page 13, Finding Resources)

Positive beginnings

What can a provider do?

During the first days and weeks that a child with special needs is in child care, providers can do much to help get things off to a good start. Above all, it is important for providers to think of their relationship with parents as a partnership. A child with special needs, like any child, will benefit most when adults form cooperative and supportive relationships around his or her needs.

- Have clear, written information about special techniques or equipment required for the child's care. Become familiar with the information.
- Welcome family members and invite them to spend time at the facility while the child gets used to his or her new surroundings and while you become familiar with his special needs.
- Ask parents what method of comforting the child works best at home.
- Know how to reach the parent during the day if questions come up.
- Budget time to speak or meet with any specialists that the child may already be working with.
- Remember that all parents like to hear good things about their children. Parents with children with special needs are especially appreciative of good news.

Strategies

Aiming for success

Ongoing cooperation and support between parents and providers are the vital links to successful, long-term child care arrangements. Children with special needs, like any child, benefit when:

Parents

- Learn the rules and policies of the child care facility.
- Communicate openly and honestly.
- Work to solve small problems before they become big ones.
- Budget time to speak with the provider daily about the child's ongoing progress. Schedule meetings to discuss any more involved issues.
- Stay positive. Maintain a sense of humor and offer to help.

Providers

- Make all facility rules and policies clear.
- Communicate openly and honestly.
- Get special directions in writing.
- Budget time to speak with parents daily about the child's ongoing progress. Schedule meetings to discuss any more involved issues.
- Stay positive and maintain a sense of humor.



Photograph by Cynthia H. Mellendorf

"She can really do just about everything the other children can do. She just needs a little more help."

Family child care provider

Making connections

Finding resources

For children from birth to 3: Each county in Wisconsin has a Birth to 3 Program that provides early intervention services to infants and toddlers with developmental delays or disabilities. All providers involved with families develop an Individual Family Service Plan (IFSP) as a blueprint for services. The IFSP outlines services and includes what services will be provided, where and by whom. For example, some services are provided in the child's home while others occur in centers. Parents may find out more about services available in their area for children from birth to age 3 by contacting Wisconsin First Step, 1-800-642-7837.

For children ages 3 through 21: Each public school district is required under federal law to provide special education and related services to children with disabilities ages 3 through 21. Parents and school specialists work together to develop a plan, called an Individualized Education Program (IEP), for the child with disabilities. An IEP contains important information about the child's specific disability, optimal methods for teaching and how staff can collaborate to support the child. The IEP also includes goals for the child and expectations of staff members.

Child care providers are not required to attend IEP meetings nor follow the IEP goals. When parents and providers collaborate with others to support the child, however, everyone benefits — especially the child. Parents may, for example, invite their child care provider to review the IEP, and attend IEP meetings, and make suggestions for integrating goals and activities.

Parents may find out more about services available in their area for children ages 3 to 21 by contacting their local school district or Wisconsin First Step, 1-800-642-7837. Parents have rights and procedural safeguards within each system mentioned above. Technical assistance resources are available to help parents secure the most appropriate services for their child.

When parents and child care providers share information, all parties gain — especially the child. (See pages 26-27, Resources)



Photograph by Buck Miller

*"Most parents don't realize
how many excellent resources
are available to them at no cost."*

Early intervention specialist

Together – Children Grow



Including all children in child care encourages us all to celebrate their individual differences in a way that has far-reaching benefits for all children, families and caregivers involved.

When we focus on the positive and on the belief that “Together — Children Grow,” we build a better world for our children.

Inclusion helps all children:

- make new friends and learn to play with others.
- learn to cope with obstacles.
- see beyond another’s disability.
- improve language and communication skills.
- learn to solve the problems in creative ways.

- develop patience and self-confidence.
- learn to be more accepting of others.
- learn to work together and help one another.
- feel proud of their achievements and happy about the achievements of others.

“Children are our future. If they grow up in a world of inclusion, society will be rewarded down the line. Children enriched by lessons of inclusion will become adults able to look beyond someone else’s disability to value that person for his or her abilities. We all have differences, but diversity is to be valued.”

— The Arc

Sharing support

Sharing resources

Parents are the most important people in their children's lives and know them better than anyone else in the world. Child care providers are skilled at caring for children too. Quality child care providers continue to seek out additional training or experiences annually. When parents and providers come together as experts sharing their support, time and resources, everyone wins.

In many cases there are additional resources available to support and strengthen the parent-provider team. For example, specialists, therapists and educators from Head Start, Wisconsin Department of Health and Family Services, social service agencies, local Birth to Three Programs and schools districts can visit child care programs, arrange staff development opportunities and provide onsite technical support. (see pages 26-27, *Resources*). Parents and providers succeed when:

- they agree to be supportive and collaborate.
- they are willing to put in extra time at the beginning of their relationship.
- share their expertise and knowledge, and keep their focus on the needs of the child.

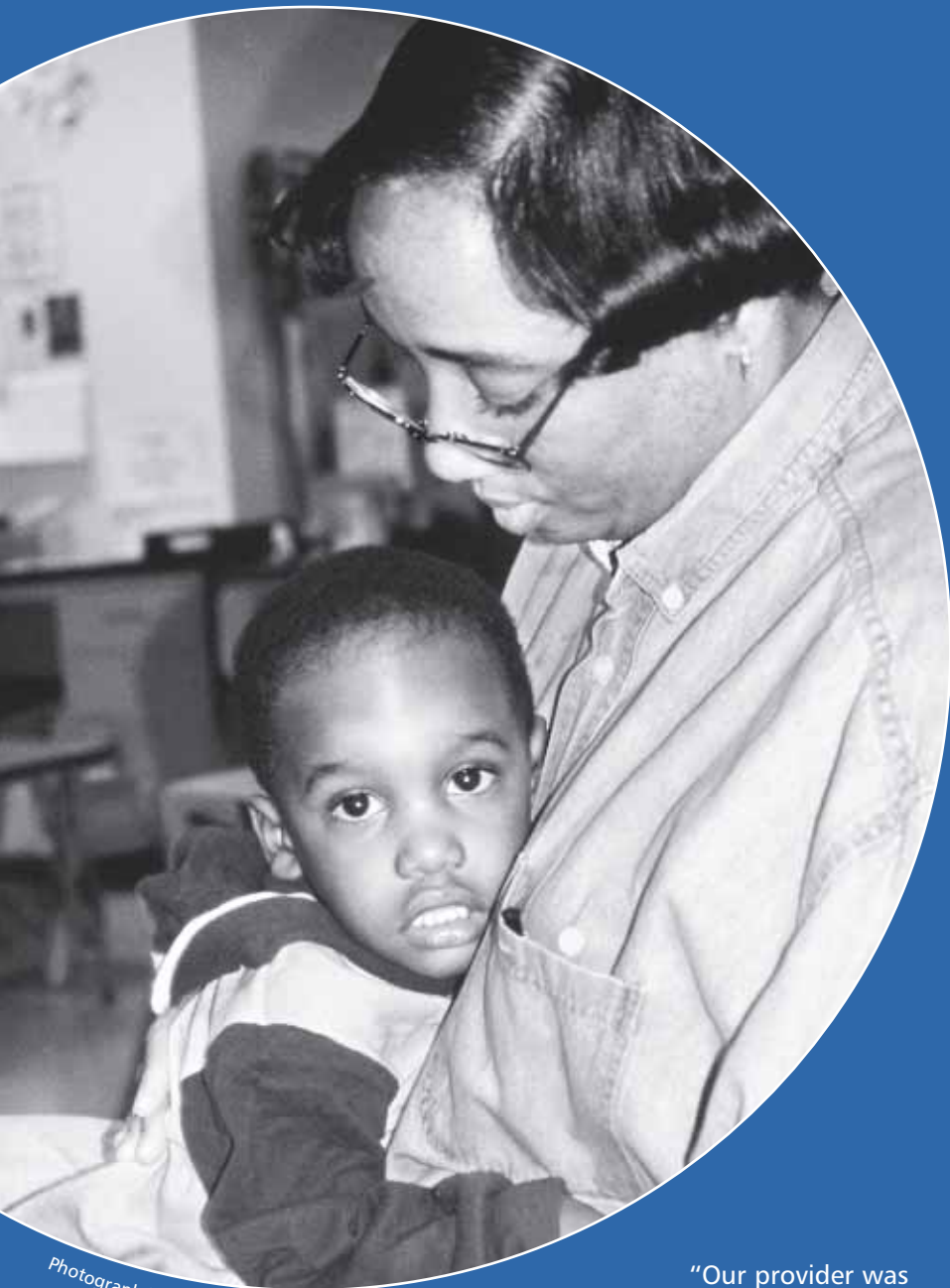
Sometimes child care providers are among the first to suspect a disability — even before a parent. When this happens, child care providers can provide critical information about disabilities and share information about the importance of early intervention. Child care providers must be careful when sharing sensitive information like this with parents.



Photograph by Buck Miller

"We really appreciate it when parents share what they know about available resources. In turn, we do our own research and let parents know what we find."

Director, group child care center



Photograph by Cynthia H. Mellendorf

"Our provider was hesitant at first. But after she met our son, she realized that she could handle his care just fine."

Parent

What to do

If things go wrong

When A Child Care Provider Says "No"

While the law makes it illegal in most situations for a child care provider to refuse care on the basis of the child's disability, not all providers are aware of their legal responsibilities. They may tell a parent, "No" due to lack of information. Parents can sometimes overcome this obstacle by trying some of the following strategies.

- Assure the provider that he or she has all of the skills necessary to care for the child.
- Offer to spend extra time on site with the child to help the provider become comfortable with his or her special care needs.
- Offer to link the provider with resources such as Head Start, Birth To 3, therapists and local schools and agencies. (See pages 26-27, *Resources*)
- Offer to help the provider find a way to communicate on a regular basis with family members or others in close support of the child (for example, a communication notebook).
- If the provider has not already met with the child in person, try to arrange for him or her to do so.

When Rights Are Violated

Child care providers and parents both have rights and responsibilities under the Americans with Disabilities Act (ADA). If a parent or provider feels that his or her rights have been violated, contact:

- Wisconsin Coalition for Advocacy, 1-800-928-8778
- U.S. Department of Justice, ADA Information Line 1-800-514-0301 (voice), 1-800-514-0383 (TDD)

Understanding The Americans with Disabilities Act (ADA)*

Under the Americans with Disabilities Act (ADA), family child care homes and child care centers are considered public accommodations and may not exclude or discriminate against parents or children solely on the basis of a disability. The only exception to this rule is when the facility is under the direct management of a religious agency such as a church, parochial school, temple, mosque, etc.

This section contains some brief questions and answers that will help you to understand the ADA and how it affects you.

Q. The ADA requires child care programs to accept a child if doing so is “readily achievable” and does not require “fundamental alterations to the existent program.” What does this mean?

A. Basically, these terms mean that making changes to the program, policies, curriculum or staffing patterns, etc., can be done relatively easily, without significant difficulty or expense. This is determined based on the nature and cost of the action needed and in light of the resources available to the individual child care provider(s).

Q. What if a child care center’s insurance company says it will raise the rates if children with disabilities are enrolled? Do centers still have to admit these children?

A. Yes. Higher insurance rates are not a valid reason for excluding children with disabilities from a program. The extra cost should be treated as an overhead expense and be divided equally among all paying customers.

Q. How is it decided if a child with a disability belongs in a certain child care program?

A. Providers cannot assume that a child’s disabilities are too severe for the child to be integrated successfully into the center’s child care program. The center must make an individual assessment about whether it can meet the particular needs of the child without fundamentally altering the program. In making this assessment, the child care provider must not react based on preconceptions or stereotypes about what children with disabilities can or cannot do or how much assistance they may require. Instead, they should talk to parents and others familiar with the child.

Q. If the center has a full waiting list, does it have to accept a child with disabilities ahead of others?

A. No. ADA does not require that providers accept children with disabilities out of turn.

* Condensed from *The Americans with Disabilities Act, Questions and Answers*, a publication of the Equal Employment Opportunity Commission and the U.S. Department of Justice, Civil Rights Division.

Q. Can child care providers charge the parents of children who have disabilities more to provide their care?

A. No. ADA prohibits centers from imposing charges on individuals with disabilities to cover the costs of measures necessary to ensure non-discriminatory treatment (such as removing barriers or providing qualified interpreters). Such costs should be passed on to all participants like any other overhead cost.

Q. If the center specializes in "group care," can it reject a child because he or she needs individualized attention?

A. No. Most children will need individualized attention occasionally. If a child who needs one-on-one attention due to a disability can be integrated without fundamentally altering a child care program, the child cannot be excluded solely because he or she needs one-on-one care. It is important to assess whether the child truly needs constant individual attention in this environment. For example, some children require an individual aid in a school or academic setting due to their learning needs, but in a child care setting, where activities are more socially oriented, they might only need special attention at specific times of the day.

Q. If an older child has delayed speech or a developmental disability, can centers place the child in an infant or toddler room?

A. Generally, no. Under most circumstances children with disabilities must be placed in their age-appropriate classroom, unless parents or guardians agree otherwise.

Q. Must centers admit children with cognitive disability and include them in all center activities?

A. Yes. The center must take reasonable steps to integrate those children into every activity provided to others. If other children are included in group singing or playground expeditions, children with disabilities should be included as well. Segregating children with disabilities is not acceptable under ADA.

Q. Can centers exclude children with HIV or AIDS from the child care program to protect the other children or the employees?

A. No. According to the vast weight of scientific authority, HIV/AIDS cannot be easily transmitted during the types of incidental contact that take place in the child care setting. Children with HIV or AIDS can generally be safely integrated into all activities. Caregivers should take universal precautions — such as wearing latex gloves — whenever they come into contact with any child's blood or bodily fluids.

Q. If a center's policy states that it does not accept children over age 3 who need diapering, can it refuse to accept children older than 3 who need diapering because they have a disability?

A. Generally, no. Centers that provide personal assistance services such as diapering or toileting assistance for young children must reasonably modify their policies and provide diapering services for older children who need it due to a disability.

Q. What about children whose presence is dangerous? Must they be accepted too?

A. No. Children who pose a direct threat — substantial risk of serious harm to the health or safety of themselves or to others — do not have to be admitted into a program. The determination that a child poses a direct threat may not be based on generalizations or stereotypes about the effects of a particular disability: it must be based on an individual assessment that considers the particular activity and the actual abilities of the individual.

Q. If the center has a policy that it will not give medication to any child, can it refuse to give medication to a child with a disability?

A. No. In some circumstances it may be necessary to give a child with a disability medication in order to make a program accessible to that child. While state laws may differ, generally speaking, as long as reasonable care is used when following the doctor's and parents' or guardians' written instructions about administering medication, centers should not be held liable for any resulting problems.

Q. If a center has a "no pets" policy, do they have to allow a child with a disability to bring a service animal such as a seeing eye dog?

A. Yes. A service animal is not a pet. The ADA requires that "no pets" policies be modified to allow the use of service animals by a person with a disability. Centers do not have to abandon their "no pets" policy altogether but simply make an exception to the rule for service animals.

Q. What about children who hit or bite?

A. The first thing a provider must do is try to work with the family to see if there are reasonable ways of correcting the child's negative behavior. If reasonable efforts have been made and documented and the child continues to bite or hit other children or staff, he or she may be expelled from the program even if he or she has a disability. The ADA does not require providers to take action that would pose a direct threat or substantial risk of harm to anyone else. Centers should not, however make assumptions about how a child with a particular disability might behave. Each situation must be considered individually.

Q. Are there any special requirements for transporting children with disabilities?

A. Yes. Under the ADA, child care centers must apply all of the same regulations to transportation as they do to their center programs. Barriers to equal access to transportation must be removed. It is not mandatory for centers to retrofit existing vehicles with hydraulic or other lifts. Any new vehicles added to the transportation service, however, must adhere to regulations issued by the Department of Transportation. Children with disabilities should be accommodated and included in field trips and other areas where transportation is provided.

resources resources resources

Resources To Get You Started

All resources listed in this section can provide valuable information about a wide range of disabilities (not just cognitive disability or cerebral palsy as their names might imply). A simple telephone call may serve to connect you with resources that you didn't even know were available.

Wisconsin First Step Resource & Referral Hotline • 1-800-642-STEP (7837)
www.mch-hotlines.org/firststep.html

The best place to start for information about services for young children with special needs including the Wisconsin Department of Health and Family Services, Birth to 3 Program, public schools, therapists and Centers For Children With Special Health Care Needs.

www.familyvillage.wisc.edu

Your first stop on the web for disability-specific information and links to other Internet sites that can help you.



When you make your first calls, be sure to ask about transportation, adaptive equipment, funding and building modifications. In addition, request information about other programs or support groups such as Mothers United for Moral Support, Inc. (MUMS), The Katie Beckett Program, Head Start and The Family Support Program. Some areas maintain resource lending libraries for parents and/or child care providers.

For Information about your ADA Rights & Responsibilities

Wisconsin Coalition for Advocacy • 1-800-928-8778
www.w-c-a.org • www.law.wisc.edu/wca = UW Law School
clinical law student externship

U.S. Department of Justice, ADA Information Line • 1-800-514-0301 (voice)
1-800-514-0383 (TDD) • www.ada.gov • www.usdoj.gov/disabilities.htm

resources resources resources

Helpful Resources

The Arc - Wisconsin

(608) 251-9272 • danenet.wiclip.org/arcw

The Arc is a statewide membership organization serving people with developmental disabilities and their families.

Child Care Resource & Referral Network

1-888-713-KIDS • (608) 271-1230 • www.wisconsinccrr.org

This statewide network assists child care programs in linking to resources and other programs available for children with or without disabilities.

United Cerebral Palsy

1-888-482-7739 • www.ucp.org

Serving people of all ages and with all developmental disabilities. An excellent resource for a wide range of disability-related information. Call the 800 number to be referred to the UCP affiliate closest to you.

Wisconsin Child Care Improvement Project (WCCIP)

1-800-366-3556 • www.wccip.org

Technical advisors are on call 9 a.m. to 4 p.m. They can direct you to resources in your community or nearby.

Wisconsin Child Care Information Center

1-800-362-7353 • www.dpi.state.wi.us/ccic

Free lending library for child care professionals. Videos, books and other disability-related resources can be mailed to child care providers and instructors.

Wisconsin Department of Health and Family Services, Birth to 3 Program

(608) 266-8276 • dhfs.wisconsin.gov/bdds/birthto3

Provides early intervention services in the form of physical, occupational, educational or speech therapy for children from birth to 3 years of age.

Wisconsin Department of Public Instruction

1-800-441-4563 • www.dpi.state.wi.us • www.preschooloptions.org

Government agency that oversees the quality and funding of public schools, including services for children with special needs.

Wisconsin Family Assistance Center for Education, Training and Support (FACETS)

1-877-374-4677 • www.wifacets.org

Wisconsin Head Start Association

(608) 265-9422 • www.whsaonline.org

Serves children from birth to age 5, pregnant women, and their families to increase the school readiness of young children in low-income families.

Wisconsin Statewide Parent/Educator Initiative (WSPEI)

1-877-844-4925

financial support

Providers and low-income parents should be aware that there may be financial support available when a child has a disability. Wisconsin Shares Child Care Subsidy program supports care for all eligible families, including the families of children with special needs.

For Parents:

Wisconsin families who are eligible for child care subsidies, and who have a child under 19 with special needs in child care, should be aware that their child care provider may be able to qualify for a higher reimbursement for the child's care. Parents should speak with their child care provider if they think that the provider may be eligible for this benefit.

For Child Care Providers:

In cases where a provider receives child care subsidy payments for a child who has special needs, local county or tribal agencies administering the child care subsidy program may sometimes set a higher reimbursement rate for the child. Decisions about whether or not to set a higher rate are handled on a case-by-case basis.

A provider seeking a higher subsidy (W-2) rate for a child with special needs must contact the local county or tribal agency to obtain specifics about the procedures for that area. The provider is required to document the reason for the higher price of care and outline what extra services are required by the child. It is important to remember that most children who have special needs can readily be integrated into the existing child care program without a higher rate of reimbursement. Often, and especially when the provider receives technical assistance or training, the regular payment rate covers the needs of the child adequately. Some local agencies may provide for technical assistance and other services to support the successful integration of the child into the child care environment.

Together – Children Grow



“Children enriched by the lessons of inclusion will become adults able to look beyond someone else’s disability and value that person for his or her abilities.” — The Arc



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